

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES - GENERAL

Case No.	CV 08-5450 ABC CR 07-1356 ABC	Date	January 21, 2009
Title	<u>Sergio Ricardo Ortiz-Lucatero v. United States of America</u>		

Present: The Honorable	Audrey B. Collins
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Daphne Alex	Not Present	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.

Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
None	None

Proceedings: ORDER TO SHOW CAUSE WHY THE GOVERNMENT AND ANGELA FONTOVA SHOULD NOT BE HELD IN CONTEMPT (In Chambers)

The matter before the Court is a motion to vacate, set aside or correct a sentence pursuant to 28 U.S.C. § 2255. Despite being granted a 60 day extension to respond to that motion, the Government failed to respond timely. As a result, on January 14, 2009, the Court issued an Order to Show Cause requiring the Government to explain why Petitioner's motion should not be granted. The deadline for responding to the Order to Show Cause was January 20, 2009. Once again, the Government did not respond by the deadline set by the Court.

Accordingly, the Government is hereby ORDERED to appear in this Court on February 2, 2009 at 10:00 a.m. to explain why the Government and Angela Fontova (Special Assistant United States Attorney) should not be held in contempt.

Initials of Preparer DA

cc: George S. Cardona, Chief Assistant United States Attorney
Christine C. Ewell, Assistant United States Attorney, Chief, Criminal Division